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Security Council

Sixtieth year

Provisional

5231st meeting

Friday, 22 July 2005, 10 a.m.

New York

President:	Mr. Vassilakis	(Greece)
Members:	Algeria	Mr. Djeffal
	Argentina	Mr. García Moritán
	Benin	Mr. Zinsou
	Brazil	Mr. Sardenberg
	China	Mr. Zhang Yishan
	Denmark	Ms. Løj
	France	Mr. De La Sablière
	Japan	Mr. Kitaoka
	Philippines	Mr. Baja
	Romania	Mr. Stamate
	Russian Federation	Mr. Dolgov
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United Republic of Tanzania	Mr. Manongi
	United States of America	Mr. Brencick

Agenda

Reports of the Secretary-General on the Sudan

Monthly report of the Secretary-General on Darfur (S/2005/467)

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05-43482 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

Monthly report of the Secretary-General on Darfur (S/2005/467)

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and Head of the United Nations Mission in the Sudan.

There being no objection, it is so decided.

I invite Mr. Pronk to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the monthly report of the Secretary-General on Darfur, document S/2005/467.

At this meeting, the Security Council will hear a briefing by Mr. Jan Pronk, Special Representative of the Secretary-General for the Sudan and Head of the United Nations Mission in the Sudan.

I now give the floor to Mr. Pronk.

Mr. Pronk: About a year ago, in June 2004, the Security Council decided to task a United Nations mission to prepare for the monitoring foreseen in the Naivasha Agreement and to support the implementation of a peace agreement, once signed, between the Government of the Sudan and the Sudanese People's Liberation Army. One month later, the Council adopted its first resolution concerning Darfur in order to put an end to the mass killings and the crimes against humanity committed since early 2003. In the 12 months that have passed since then, the Council has intensified its involvement and added pressure in order to conclude the Naivasha negotiations and to solve the conflict in Darfur. It also gave a comprehensive mandate to the United Nations Mission in the Sudan (UNMIS) to help implement the peace agreement and to help address the root causes of the conflicts in the Sudan.

It is now one year later, mid-2005. Things have changed; 2005 could become the year of decisive change. It started with the signing of the Comprehensive Peace Agreement between the north and south in Nairobi on 9 January. In April, a delegation of the Sudan People's Liberation Movement (SPLM) came to Khartoum and was welcomed wholeheartedly. For many of them, it was their first visit in more than 20 years. A new constitution was drafted and approved in Khartoum as well as in Rumbek. In July, John Garang himself went to Khartoum. His going was a triumph that was witnessed by a million people. Never before had more people gathered together in the centre of Khartoum in order to show their political belief that peace and unity were within reach. One day later, the Government of National Unity was constituted, with a new Presidency that included Bashir, Garang and Taha. The statements they made were future-oriented and referred to peace, democracy and citizenship. Their body language was a clear expression of joy and confidence that was visible to spectators throughout the Sudan and outside it and that said, peace is here to stay.

Of course, the Comprehensive Peace Agreement is not really comprehensive. It deals with only one conflict, albeit the longest civil war in Africa, with the highest number of casualties. Quite a few parties were excluded from the talks in Khartoum as well as in the rest of the north and the south. But the Agreement was meant to be the beginning of a comprehensive peace to be won throughout the Sudan, and also a commitment to make that happen.

Quite a few things are happening. In Cairo, an agreement was reached between the Government and a number of opposition parties that had joined forces in the National Democratic Alliance. Their leader, Al-Mirghani, who had previously been in exile, is now a political partner. The leader of the Umma party, Al-Mahdi, who had been ousted by the military coup that had formed the basis of the present Government, returned as well. Al-Turabi, the leader of the Popular Congress Party and the intellectual force behind that coup, who was later jailed by the present regime, was released from jail. He started directly to use his newly won freedom by criticizing the regime. The state of

emergency was lifted — of course, with the exception of Darfur and the east. Censorship was lifted as well. For the first time, newspapers did not have to get clearance in advance from military intelligence for every article they intended to publish.

The fifth round of Abuja talks has made progress, unlike previous rounds that were hijacked by violent incidents on the ground in Darfur. The talks proceeded without disturbance. Parties — that is, the Government, the Sudan Liberation Movement (SLM) and the Justice Equality Movement (JEM) — negotiated seriously and with flexibility, discussing political issues rather than procedures and minor issues. International partners were united in exerting pressure, and were able to avoid sending contradictory messages. The leadership of the African Union, in particular the efforts by the mediator, Salim Ahmed Salim, was solid and effective. It led to the signing of the declaration of principles that will form the basis for future talks. The talks could be finalized before the end of this year. There also seems to be more confidence in the peace process among commanders of the Sudan Liberation Army (SLA) on the ground. Further confidence-building is necessary, but there is light at the end of the tunnel.

Talks to address the conflict in the east have yet to start. Violence has increased in the east since the beginning of this year. However, contacts with both the Government and the Eastern Front indicate that there is a willingness to address this conflict through negotiations. Both parties have made some steps towards better conflict management and confidence-building. Here too, reaching an agreement before the end of the year may become a reality.

Last year we said that the road to peace in Darfur and elsewhere in the Sudan runs through Naivasha. That indeed seems to be the case. The spirit of Naivasha is affecting parties throughout the Sudan. The Comprehensive Peace Agreement has had a snowball effect. In Cairo, in Abuja and in the east, texts were drafted that reflected the spirit of peace, diversity, democratization and power-sharing — which are at the core of the Comprehensive Peace Agreement. However, that means that the Government, the Sudan People's Liberation Movement (SPLM) and all other parties, including the international community, should do their utmost to implement the Comprehensive Peace Agreement in full and without being affected by events on the ground or on the sidelines and not allowing powers in the dark or grumbling spoilers to harm the letter and the spirit of the Agreement.

That is a tall order for both parties. They can achieve it by establishing without delay the mechanisms that have been agreed upon in the Comprehensive Peace Agreement. The Ceasefire Joint Military Committee has already been established, and it is functioning well. However, the Ceasefire Political Committee and the Assessment and Evaluation Commission still have to be set up. The proper and smooth functioning of those institutions is crucial. Peace will be challenged on the ground by the presence of the Lord's Resistance Army, by other armed groups that have not yet decided to lay down their arms and integrate themselves into the new structures and by tribes that resist what has been agreed.

A first major challenge to the parties is posed by the findings of the Abyei Boundary Commission. As stipulated in the Comprehensive Peace Agreement, its arbitration is definitive and binding. But, as always, that arbitration has created winners and losers. The Presidency has published the Commission's report and is currently studying the findings. Leaders of the Misseriya tribe, while protesting against the outcome of the arbitration, have declared that it is their intention to refrain from attacks on Dinkas and on returning refugees. I call on all to respect the arbitration and to enter into a peaceful dialogue on how to implement the decisions. All parties should be aware that this is the first test case for the sustainability of the Comprehensive Peace Agreement. Much will depend on the way this is going to be handled, not only in Abyei but also in south Sudan as a whole, the Nuba Mountains, the Blue Nile region and Darfur, as well as in the east.

The United Nations Mission in the Sudan (UNMIS) also faces tremendous tasks ahead. We are deploying our peace monitoring military capacity steadily, although we are meeting a number of difficulties. Some troop-contributing countries have delayed their contributions, necessitating others who depend on them to do likewise. The total lack of infrastructure in south Sudan, together with heavy rains, creates difficult problems. However, we believe that full deployment will be possible towards the end of October. In the meantime, we are doing our utmost through our good offices to help steer the process towards prudent conflict management. We have decided to give the highest priority to facilitating

voluntary returns of displaced persons and refugees in the upcoming dry season. In that period, we expect about 600,000 of them to return. We will establish way stations and provide a minimum package of assistance.

We need many more resources. Our revised work plan for 2005 amounts to nearly $2 billion. So far, as of mid-2005, only 40 per cent of that figure has been committed. Our programmes are underfunded. I call on all donors to fulfil their pledges and to increase them. The humanitarian situation in south Sudan is very fragile. Not to address it wholeheartedly would betray the expectations of millions and jeopardize the chances of making peace sustainable — until at least six years from now, when people will have to choose, by referendum, either unity or separation.

Creating a perspective for the millions of people on the ground who have suffered for decades is the joint responsibility of political leaders in the Sudan and of the international community. Can we create a similar perspective for the people in Darfur? It seems that the ceasefire is being kept by the parties. The AU force has helped to establish greater stability. They have done an admirable job, a highly professional one, with great dedication.

Militia attacks on villages have decreased. The humanitarian situation in the camps has improved. The monthly number of deaths due to violence is still high, much too high — 100 to 300 — but it is substantially lower than in the period before the adoption of the first Security Council resolution on Darfur, in July last year, when mass attacks had led to mass killings. According to a preliminary study done by the World Health Organization (WHO), the crude mortality rate now is 0.8 death per 10,000 people per day in the whole of Darfur, as against more than 1.5 more than a year ago. The halving of the mortality rate has brought it below the official emergency threshold.

Still, the situation is delicate. Banditry has increased and has become ferocious. Attacks can flare up. Militia have not been disarmed. Arbitrary arrests and the inhumane treatment of prisoners are still taking place. Rape also continues. A new Government policy to help the victims of rape and to investigate crimes of rape has been adopted, after long and intensive discussions with the United Nations, but its implementation is still deficient throughout Darfur.

The Government has commenced a process of reconciliation between tribes. That is laudable, and some results have become manifest. However, it cannot be a substitute either for a political agreement or for official legal action. The Government has finally established a court to deal with crimes against humanity, but so far only a few cases have been brought to court. Here, too, there is a call on the Government: go forward speedily and go higher up. Do not arrest only foot soldiers who have killed and raped; arrest also their commanders and their leaders who instructed them to do so. Only then can impunity be ended. Only then will the present reconciliation efforts result not merely in dissipating a dark past but also in opening a new era in which such crimes cannot be repeated.

All in all, there is room for optimism, but we must be realistic. The situation is fragile — utterly fragile. The wounds inflicted on millions of people during a lengthy period of neglect, exclusion, injustice and bad governance cannot be healed overnight. Democratization and the guaranteeing of human rights require more than an agreement between leaders and fighters. Poverty is extreme, more so than in nearly all other countries of Africa. The battle against poverty, following the fight for peace, will require decades of sustained effort by the Sudanese people and by the international community. Ongoing reconciliation, as well as the management of conflicts between nomads and farmers, will require a great deal of political attention and resources for compensation and development.

The international community started to address the Sudanese problem with a comprehensive strategy a year ago — at last. That strategy consisted of humanitarian, political and military chapters. Some successes have become manifest. A change in strategy is not required. However, an intensification of that strategy, persistence and a commitment to add an economic chapter to it are crucial.

Moreover, we have to look ahead to what will have to be done, if the Darfur peace agreement is signed, to follow up on it. People will have to return to their areas of origin, but they will do so only when they feel secure. That will require a further expansion of the AU force. Planning for such an expansion should commence soon.

On the day of the inauguration of the Government of National Unity, beautiful words were spoken.

President Bashir spoke of a new era. He sketched its contours in language that inspired many people:

> "We give you good tidings of more freedom, democracy and consultation. Our commitment to the people of Darfur is to set right all grievances and hostilities that befell any citizen, from whatever party, on the basis of justice and the rule of law".

That is more than a promise; it is an assurance. Everyone heard him. Everyone in the Sudan — in Khartoum, in El Fasher and in Juba — can watch, see and assess whether this commitment will be turned into reality. Those in Addis, in Nairobi, in Abuja and in New York who have made it possible for the process to result in such commitments and agreements can see to it that this reality will not fade away.

The new second Vice-President, Ali Osman Taha, who had made a place for John Garang as the first Vice-President of the Sudan, referred in his speech to the overwhelming welcome by the people of Khartoum for Garang at his homecoming. It is worth quoting him, too:

> "The people of the Sudan who took to the streets, congratulating, blessing, hailing and calling for more processions such as the ones that filled the towns of the Sudan was the strongest signal, culminating in a historic gathering that brought forth no words — but that, I am sure, was the strongest speech given during those celebrations. And when the people speak during such occasions, then the leaders have to keep silent and proceed to discharge their duties and accomplish their mission — and here, by the grace of God, do we endeavour to do so."

That is quite a commitment. When listening to that speech, many in the audience in Khartoum must have thought: "The people in Darfur have spoken, too. We have heard them in Khartoum, and they have been heard in Addis, in Abuja, in Nairobi and in New York."

Let us proceed to discharge our duties and to accomplish the mission which we undertook a year ago.

The President: I thank Mr. Pronk for his briefing.

In accordance with the understanding reached in the Council's prior consultations, I shall now invite Council members to informal consultations to continue our discussions on the subject.

The meeting rose at 10.45 a.m.